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## Montgomery council moves closer to banning rural airstrips

Zoning change would override federal approval of airstrip in Boyds

by Susan Singer-Bart | Staff Writer

While a county zoning agency ponders whether a pilot should be allowed to fly a plane from his home in Boyds, the Montgomery County Council is moving to ban airstrips in rural parts of the county.

The council's Planning, Housing and Economic Development Committee voted 2 to 1 Monday to allow airstrips in the Agricultural Reserve only if they are used for agricultural purposes.

Sponsor Marc Elrich (D-At large) of Takoma Park expects the zoning amendment will pass the full council when it is brought up for a vote. A date has not yet been set.

"Recreational air flying, which has nothing to do with the [Ag] Reserve and you're likely to disturb neighbors far away, crosses the line," Elrich said in a phone interview Monday.

Under amendments added Monday, any airstrip would have to be used solely for agricultural purposes and located 1,000 feet from the property line. Any airstrips in operation when the amendment is passed would be exempt from the new law.

The county has two airports, one on Hawkins Creamery Road in Laytonsville and one on Airpark Road in Gaithersburg.

Robert Gillespie has been seeking county permission to operate the airstrip for recreational use on his property on Peachtree Road in Boyds since 2006. He bought a 40-acre hay farm and mowed a grassy airstrip before he knew county and Federal Aviation Administration approvals were needed.

The FAA gave its approval in March 2006; however, county approval has been more difficult to obtain.

Associate County Attorney Cliff Royal told the council the FAA regulates airspace and aircraft operations, but federal law does not pre-empt local zoning and land use regulations.

The amendment will clarify county zoning, which states that "airstrip associated with farm" is a permitted use in the Ag Reserve, he said.

Neighbors and the Boyds Civic Association, the Sugarloaf Citizens Association, the Audubon Society and Montgomery Countryside Alliance oppose the airstrip.

The Montgomery County Planning Board recommended approval of the airstrip in December.

The county hearing examiner concluded two days of hearing on the airstrip Feb. 18. He will decide whether a special exception permit should be granted.

Gillespie's request is the first for an airstrip in the county.

The county's Agricultural Preservation Advisory Board sent a letter to the County Council opposing its zoning amendment.

"The [rural] zone provides an oasis for a wide array of open space opportunities for our residents that might not otherwise be available," wrote David O. Scott, chairman of the board. "Whether enjoying the Agricultural Reserve by riding through on horseback, canoeing down Seneca Creek, hiking or biking through the numerous trails that exist or flying a private aircraft over the reserve, all offer the participant a specific and individual recreational experience."

Councilwoman Nancy M. Floreen (D-At large) of Garrett Park voted against the amendment Monday, based in part on the board's opinion.

"I defer to the ag committee," she said in a phone interview Monday. "Our job is to worry about overriding countywide policy implications. That's why we look to the Planning Board and Ag Policy Board for larger implications."

She was uncomfortable with changing zoning to stop something.

"If we're going to do this, we should take it out of the special exemption process and have clear rules for parcel size and setbacks," she said. "We didn't talk about parcel size."

Gillespie declined to comment.

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